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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-HQ-MB-2013-N241]**

**[F09M29000-134-FXMB12320900000]**

**Information Collection Request Sent to the Office of Management and Budget (OMB) for Approval; Depredation Order for Blackbirds, Grackles, Cowbirds, Magpies, and Crows**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice; request for comments.

**SUMMARY:** We (U.S. Fish and Wildlife Service) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on November 30, 2013. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

**DATES:** You must submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB-OIRA at (202) 395-5806 (fax) or [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) (email). Please provide a copy of

your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS 2042–PDM, 4401 North Fairfax Drive, Arlington, VA 22203 (mail), or hope\_grey@fws.gov (email). Please include “1018–0146” in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Hope Grey at hope\_grey@fws.gov (email) or 703–358–2482 (telephone). You may review the ICR online at <http://www.reginfo.gov>. Follow the instructions to review Department of the Interior collections under review by OMB.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 1018–0146.

*Title:* Depredation Order for Blackbirds, Grackles, Cowbirds, Magpies, and Crows, 50 CFR 21.43.

*Service Form Number:* 3–202–21–2143.

*Type of Request:* Revision of a currently approved collection.

*Description of Respondents:* State and Federal wildlife damage management personnel; farmers; and individuals.

*Respondent's Obligation:* Required to obtain or retain a benefit.

*Frequency of Collection:* Annually.

*Estimated Number of Respondents:* 30.

*Estimated Total Annual Responses:* 30.

*Estimated Completion Time per Response:* 2 hours.

*Estimated Total Annual Burden Hours:* 60.

*Abstract:* The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.) implements four treaties concerning migratory birds that the United States has signed with Canada, Mexico, Japan, and Russia. Under the treaties, we must preserve most species of birds in the United States, and activities involving migratory birds are prohibited except as authorized by regulation.

This information collection is associated with our regulations that implement the MBTA. In the Code of Federal Regulations (CFR), 50 CFR 21.43 is a depredation order that authorizes take of blackbirds, cowbirds, grackles, crows, and magpies "when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance."

All persons or entities acting under this depredation order must provide an annual report containing the following information for each species:

- Number of birds taken.
- Months and years in which the birds were taken.
- State(s) and county(ies) in which the birds were taken.
- General purpose for which the birds were taken (such as for protection of agriculture, human health and safety, property, or natural resources).

We collect this information so that we will be able to determine how many birds of each species are taken each year and whether the control actions are likely to affect the populations of those species.

*Comments:* On July 1, 2013, we published in the *Federal Register* (78 FR 39309) a notice of our intent to request that OMB renew approval for this information

collection. In that notice, we solicited comments for 60 days, ending on August 30, 2013. We received two comments. One commenter objected to the killing of birds and funding for the Animal and Plant Health Inspection Service, Wildlife Services. The other commenter stated that the State of Wyoming has no records for the species covered by the depredation order. The commenters did not address the information collection requirements, and we did not make any changes to our requirements.

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold

your personal identifying information from public review, we cannot guarantee that it will be done.

Dated: October 31, 2013

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